



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

OFFICE OF SMALL BUSINESS  
REGINA DICK-ENDRIZZI, DIRECTOR

September 18, 2017

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 170209 [Police Code - Bicycle Chop Shops]

Small Business Commission Recommendation to the Board of Supervisors: **Approval**

Dear Ms. Calvillo,

On September 11, 2017, the Small Business Commission voted (5-0, 2 absent) to recommend that the Board of Supervisors approve BOS File No. 170209.

The Commission emphasized in its discussions that the Department of Public Works (DPW) – rather than the Police Department – should regulate bicycle chop shops. DPW is the appropriate body to be responsible for ensuring public access to sidewalks, including the relevant civil rights protections for persons with disabilities. Unpermitted bicycle sales on sidewalks constitute an unlawful encroachment on the public right-of-way. There are existing options to obtain permission (such as the Peddler's permit, Minor Encroachment Permit, or a Temporary Sidewalk Encroachment permit, see Table 1) to operate in a lawful manner. An individual(s) amassing bicycles and/or bicycle parts or bicycle or bicycle parts vendors should be required, like any other small business or resident, to seek the appropriate permits to operate or encroach on the public right-of-way. The Commission therefore supports this legislation, which does not ban the activity, but instead requires proper licensure and creates an appropriate mechanism to enforce existing laws pertaining to the public right of way.

Thank you for considering the Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Mohammed Nuru, Department of Public Works  
Mawuli Tugbenyoh, Mayor's Office  
Francis Tsang, Mayor's Office  
Lisa Pagan, Office of Economic and Workforce Development  
Erica Major, Land Use & Transportation Committee

**Table 1: Permits Related to Sidewalk Usage or Blockage**

Name		Description
Minor Sidewalk Encroachment		Allows an owner of property abutting any court, alley or street to install and maintain minor encroachments <sup>1</sup> occupying no more than 10% of the total area of the sidewalk fronting the subject property <sup>2</sup> and no more than 25% of the width of the sidewalk (exceptions possible).
Major Sidewalk Encroachment		A surface or subsurface encroachment in the sidewalk or street area of any public right-of-way. (Usually, more than 25% of the width.) Requires approval from other agencies (ex: SFMTA, Police, Fire, etc.).
Café Tables & Chairs (Annual)		Allows for placement of tables and chairs on the sidewalk in front of their restaurant or café.
Free Sample Merchandise		Distribution of free sample goods for the purpose of promoting any merchandise, commodity, property, trade, business, service, art or skill, on any street, sidewalk or public right-of-way. <sup>3</sup>
Display Merchandise (Annual)		Allows retail business to display some merchandise on a portion of the sidewalk in front of the business.
Temporary Occupancy		Allows temporary occupation of a portion of the sidewalk. Usually for non-building construction activities lasting less than 7 days.
Peddler (SFPD)		Allows for peddling of non-food items.

<sup>1</sup> Minor encroachments include fences, retaining walls, steps or stairways and other minor structures in the sidewalk fronting such property where such encroachments are desirable or convenient in conjunction with the owner's use and enjoyment of his property, or required for the safety, convenience and comfort of the public using the sidewalk.

<sup>2</sup> From property line to property line.

<sup>3</sup> Advertising is not allowed.

